

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HEARTWARE INTERNATIONAL,
INC. SECURITIES LITIGATION

No. 1:16-cv-00520-RA

**NOTICE OF LEAD PLAINTIFF'S MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT, AND APPROVAL OF NOTICE TO THE CLASS**

TO: All Counsel of Record

PLEASE TAKE NOTICE that upon the Stipulation and Agreement of Settlement dated November 13, 2018 (the "Stipulation"), attached hereto as Exhibit 1; the accompanying memorandum of law; and all other papers and proceedings herein, Lead Plaintiff St. Paul Teachers' Retirement Fund Association ("Lead Plaintiff") hereby moves this Court, under Rule 23 of the Federal Rules of Civil Procedure, for entry of an order: (i) preliminarily approving the proposed Settlement; (ii) approving the form and manner of giving notice of the proposed Settlement to Class Members; and (iii) scheduling a hearing to consider final approval of the Settlement and approval of the Plan of Allocation and Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses.¹ The Parties' agreed-upon proposed Order Preliminarily Approving Settlement and Authorizing Dissemination of Settlement Notice is submitted with this motion. Pursuant to the terms of the Stipulation, this motion is unopposed by Defendants.

¹ All capitalized terms used herein that are not otherwise defined herein have the meanings ascribed to them in the Stipulation.

Dated: November 16, 2018

Respectfully submitted,

/s/ John Rizio-Hamilton

**BERNSTEIN LITOWITZ BERGER &
GROSSMANN LLP**

John Rizio-Hamilton
1251 Avenue of the Americas
New York, New York 10020
Tel: (212) 554-1400
Fax: (212) 554-1444
Email: JohnR@blbglaw.com

***Lead Counsel for Lead Plaintiff
and the Class***

#1249397